

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

COURTHOUSE NEWS SERVICE,

Plaintiff,

v.

RYAN BOYCE, in his official capacity as
Director of the North Carolina Administrative
Office of the Courts; MICHELLE BALL, in
her official capacity as Clerk of Superior
Court of Johnston County; RENEE
WHITTENTON, in her official capacity as
Clerk of Superior Court of Harnett County;
and BLAIR WILLIAMS, in his official
capacity as Clerk of Superior Court of Wake
County,

Defendants.

Case No.: 5:23-cv00280-FL

**JOINT MOTION TO EXTEND
DEADLINE FOR DISPOSITIVE
MOTIONS**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6.1, Plaintiff COURTHOUSE NEWS SERVICE (“CNS”) and Defendants RYAN BOYCE, in his official capacity as Director of the North Carolina Administrative Office of the Courts, MICHELLE BALL, in her official capacity as Clerk of the Superior Court of Johnston County, RENEE WHITTENTON, in her official capacity as Clerk of the Superior Court of Harnett County, and BLAIR WILLIAMS, in his official capacity as Clerk of the Superior Court of Wake County, (“Defendants”), jointly move this Court for an Order extending the deadline for dispositive motions by ninety (90) days. In support of this motion, the Parties state the following:

1. A court’s scheduling order “may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4).

2. The current deadline for dispositive motions is December 16, 2024. *See* D.E. 65. No subsequent deadlines in this case have been set as the Court reserved scheduling deadlines and procedures for final pretrial conference and trial, as appropriate, pending resolution of any dispositive motions. *See* D.E. 42.

3. The Parties jointly contend good cause exists to extend the dispositive motions deadline ninety (90) days. First, the Parties are currently in the early stages of settlement discussions. The terms of such a settlement require, among other things, investigation into certain logistical matters that would be required to be resolved should the Parties move forward with settlement. The Parties also need time to consider and confer generally over the terms of possible settlement. If settlement can be reached prior to the deadline for dispositive motions, it would conserve significant time and resources that would otherwise need to be invested by the Parties and this Court.

4. Second, the North Carolina Administrative Office of the Courts implemented new recordkeeping rules after the close of the discovery period. The Parties generally agree that in light of these rule changes and the production of documents related to them, additional deposition testimony and/or written deposition discovery pertaining to the rule changes is warranted. Concurrent with settlement discussions, the Parties are in the process of coordinating the taking of that additional, limited discovery. The Parties further generally agree that such discovery bears upon issues likely to be raised in any competing summary judgment motions.

5. The Parties will move forward promptly with this discovery, both to assist with settlement negotiations and to ensure the proposed new summary judgment filing deadline is met.

6. All Parties have conferred and jointly move for the requested extension.

7. This Motion is made for good cause, and not for the purpose of delay. Again, no additional case management deadlines will be disrupted by granting this Motion as such deadlines have yet to be determined.

WHEREFORE, the Parties jointly request that the Court extend the deadline for dispositive motions by ninety (90) days, up to and including March 17, 2025.

Respectfully submitted this 5th day of December, 2024.

JOSHUA H. STEIN
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